

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, INITIATING AN ANNEXATION OF 19.72 ACRES NORTH OF JOHNSON CREEK BOULEVARD BETWEEN 55TH AVENUE AND FLAVEL DRIVE TO THE CITY OF MILWAUKIE (AN-92-01).

WHEREAS, the City Council of the City of Milwaukie held a public hearing on December 1, 1992, to consider the annexation of 19.72 acres north of Johnson Creek Boulevard between 55th Avenue and Flavel Drive; and,

WHEREAS, annexation of the territory to the City of Milwaukie would constitute a "minor boundary change" under the boundary commission law, ORS 199.410 to 199.534; and

WHEREAS, by authority of ORS 199.490(1)(a), the City Council of the City of Milwaukie may initiate the annexation; and

WHEREAS, the part of the territory that lies in the Clackamas Fire District #1 and Clackamas County Fire District #71 would, by operation of ORS 199.510(2)(a), be withdrawn from those districts on the date of the final order of the annexation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie, a municipal corporation of the State of Oregon, at a regular session held on the 1st day of December, 1992, that:

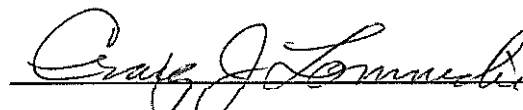
Section 1. The Council, pursuant to ORS 199.490(1)(a), hereby initiates proceedings for annexation of the following described territory to the City:

(See attached Legal Description)

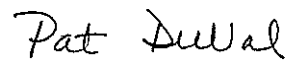
Section 2. The Council hereby approves the proposed annexation and requests the Portland Metropolitan Area Local Government Boundary Commission to approve it.

Section 3. The City Recorder is hereby directed to file a certified copy of the Resolution with the Commission at once.


Read and adopted by the City Council the 2nd day of December, 1992.


Craig Lomnicki, Mayor

ATTEST:


City Recorder

Approved as to form:


O'Donnell Ramis Crew & Corrigan
City Attorney

JOHNSON CREEK BLVD. ANNEXATION

Legal Description

Beginning at the intersection of the west right-of-way line of S.E. 55th Avenue and the Southwest boundary of property deeded to the City of Portland in Instrument No. 90-21136, Clackamas County Deed Records, (formerly the Portland Traction Company right-of-way);

Thence South 65° 55' 30" East along the Southwest boundary of said City of Portland property, 777 feet, more or less, to the west right-of-way of S.E. Stanley Avenue;

Thence Easterly across S.E. Stanley Avenue, 40 feet, more or less, to the intersection of the east right-of-way of S.E. Stanley Avenue and the Southwest boundary of said City of Portland property;

Thence South 66° 32' East along the Southwest boundary of said City of Portland property, 537.2 feet, more or less, to the northwest corner of Lot 5, ALDERHURST, a duly recorded subdivision in Clackamas County;

Thence South 65° 40' East along the Southwest boundary of said City of Portland property, 992.8 feet, more or less, to the west right-of-way line of S.E. Linwood Avenue;

Thence Northerly along the west right-of-way line of S.E. Linwood Avenue and its northerly extension across S.E. Johnson Creek Blvd. and continuing along the west right-of-way line of S.E. Flavel Drive, which is also the easterly line of a tract of land conveyed to the City of Milwaukie in Instrument No. 88-47142, Clackamas County Deed Records, 1030 feet, more or less, to the northeast corner of said City of Milwaukie tract, said corner being 5.0 feet South of the North line of Lot 1, WICHITA, a duly recorded subdivision in Clackamas County;

Thence West along the North line of said City of Milwaukie tract and parallel to the North line of said Lot 1, 300 feet to the West line of said Lot 1, which is also the East line of Block 2, MULLEN HEIGHTS, a duly recorded subdivision in Clackamas County;

Thence South along the West line of said City of Milwaukie tract and the East line of said Block 2, MULLEN HEIGHTS, 130 feet to the southeast corner of Lot 11, Block 2, MULLEN HEIGHTS;

Thence North 89° 25' East, 28.3 feet to a 5/8" iron rod;

Thence South 0° 35' East parallel with the West line of said Lot 1, WICHITA, 360 feet to a point on the easterly extension of the north line of Lot 4, Block 2, MULLEN HEIGHTS;

Thence West along the easterly extension of the north line of said Lot 4 and the north line of said Lot 4 and the westerly extension thereof, 228.3 feet to a point on the east line of Lot 6, Block 1, MULLEN HEIGHTS and the west right-of-way line of 58th Drive;

Thence North along the East line of said Block 1 and the west right-of-way line of S.E. 58th Drive right-of-way, 502.3 feet, more or less, to the northeast corner of Lot 13, Block 1, MULLEN HEIGHTS;

Thence West along the North line of said Block 1, 202.6 feet to the northwest corner of Lot 14, Block 1, MULLEN HEIGHTS;

Thence South along the West line of said Block 1, 100 feet, more or less, to a point on the easterly extension of a line drawn parallel with and 30 feet north of the south line of Lot 9, OLSON ACRES, a duly recorded subdivision in Clackamas County;

Thence West along said line 30 feet north of and parallel to the south line of Lot 9, OLSON ACRES, 295.83 feet to the West line of said Lot 9;

Thence North along the West line of said Lot 9, 151.04 feet to the northeast corner of Lot 5, OLSON ACRES;

Thence North 79° 21' 30" West along the northerly line of said OLSON ACRES and the southerly line of DARLINGTON PLAT 4, a duly recorded subdivision in Clackamas County, 346.09 feet to the northwest corner of a tract of land described as Parcel I in a deed to Donald L. and Maxie R. Miley recorded in Instrument No. 79-33625, Clackamas County Deed Records;

Thence southerly along the westerly line of said Miley tract, 110.3-feet, more or less, to the North line of Hector Campbell D.L.C. No. 41 and the southwest corner said Miley tract;

Thence West along the North line of Hector Campbell D.L.C. No. 41, 189.92-feet, more or less, to the most northerly northwest corner of the Hector Campbell D.L.C. No. 41, which is also a point on the east line of Lot 10 ELLECREST, a duly recorded subdivision in Clackamas County;

Thence North along the east line of said Lot 10 to a point on the East line of said Lot 10 that is 50.0 feet south of the northeast corner of said Lot 10;

Thence westerly parallel with and 50.0 feet distant from the northerly line of said Lot 10, 95 feet, more or less, to the westerly line of said Lot 10;

Thence southerly along the westerly line of said Lot 10, 118.44 feet, more or less, to the southwest corner of said Lot 10 and a point on the northerly right-of-way of S.E. Johnson Creek Blvd.;

Thence westerly along the northerly right-of-way of S.E. Johnson Creek Blvd., 308.72 feet, more or less, to the easterly right-of-way line of S.E. 55th Avenue;

Thence southwesterly across S.E. Johnson Creek Blvd., 40 feet, more or less, to a point on the Northeast boundary of that parcel of property conveyed to the City of Portland in Instrument No. 90-21136 (formerly Portland Traction Company right-of-way), said point being North 24° 16' East, 100 feet from the intersection of the South line of said parcel and the West line of S.E. 55th Avenue right-of-way;

Thence South 24° 16' West, 100 feet to the point of beginning.